

Report Date: September 23, 2011

## United States District Court

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

SEP 26 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Melissa Rachelle Flannery Case Number: 2:08CR02041-003  
 Address of Offender: Oxford House Chestnut, Yakima, WA 98902  
 Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge  
 Date of Original Sentence: 2/11/2009  
 Original Offense: Conspiracy and Aiding and Abetting, 18 U.S.C. §§ 371 & 2  
 Original Sentence: Prison - 12 Months; TSR - 36 Months Type of Supervision: Supervised Release  
 Asst. U.S. Attorney: Alison L. Gregoire Date Supervision Commenced: 12/11/2009  
 Defense Attorney: Diane E. Hehir Date Supervision Expires: 12/10/2012

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 PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 7/12/2011.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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8	<b>Standard Condition #9:</b> The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.
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**Supporting Evidence:** On or about February 2, 2010, this officer met with Ms. Flannery at the U.S. Probation Office and reviewed her multiple concerns related to the father of her youngest child, Charles Dubay. At the time, Mr. Dubay was in the state penitentiary after his conviction for possessing a firearm. Additionally, Mr. Dubay has a long criminal history to include other felony convictions and assaultive behaviors. This officer advised Ms. Flannery of Mr. Dubay's history and directed her to have no contact with Mr. Dubay without first obtaining permission, to which she agreed.

On August 2, 2011, this officer obtained and confirmed that Mr. Dubay was at the treatment facility with Ms. Flannery as family support. When confronted by the treatment provider and this officer, she asked Mr. Dubay to leave the facility.

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**Re: Flannery, Melissa Rachelle**

**September 23, 2011**

**Page 2**

On August 17, 2011, this officer received information from a local Washington State Department of Corrections officer that he and his partner had encountered Ms. Flannery at a residence belonging to Charles Dubay, who is on supervision with their department. Ms. Flannery identified herself and confirmed she was on supervision with this officer. When confronted on August 19, 2011, Ms. Flannery admitted she had unauthorized contact with Mr. Dubay, and advised that would be the last time.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/23/2011

s/Stephen Krous

Stephen Krous  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other

  
Signature of Judicial Officer

September 26, 2011  
Date